

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-

1(b)

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Counsel for Joseph Supor III

In re:

Supor Properties Bergen Avenue LLC
Debtor.

Case No. 23-15758 (SLM)
Judge: Hon. Stacey L. Meisel
Chapter 11

Hearing Date: February 13, 2024
Hearing Time: 11:00 a.m.

**NOTICE OF MOTION OBJECTING TO THE PROOF OF CLAIM OF
BEB BERGEN AVE LLC AND FOR RELATED RELIEF**

PLEASE TAKE NOTICE that on February 13, 2024 at 11:00 a.m. or as soon thereafter as counsel may be heard, Supor Properties Bergen Avenue LLC (“Supor Properties” or “Debtor”) and Joseph Supor, III (“Joseph Supor”) through their undersigned counsel, will jointly move before the Honorable Stacey L. Meisel, United States Bankruptcy Judge, United States Bankruptcy Court, Martin Luther King, Jr. Federal Building, Courtroom 3A, 50 Walnut Street, Newark, New Jersey

07102, for the entry of an Order (a) disallowing the proof of claim filed by BEB Bergen Ave, LLC (“BEB Bergen”) in the amount of \$18,235,251.91 [Claim No. 1] (the “Joint Objection”); (b) if necessary, scheduling a hearing on the Joint Objection and establishing deadlines for the parties to (i) conduct discovery relative to this Joint Objection, (ii) file responses to this Joint Objection, and (iii) enable Debtor and Joseph Supor to file a reply to any responses to the Joint Objection; (c) prohibiting BEB Bergen from credit bidding at any sale of the Debtor’s real property until this Joint Objection is resolved by final order; and (d) granting such additional relief as this Court deems just and proper (the “Motion”).

PLEASE TAKE FURTHER NOTICE that in support of the Motion, the movants shall rely upon the Joint Objection and Certification of Joseph Supor III submitted herewith. A proposed order is also submitted herewith.

PLEASE TAKE FURTHER NOTICE that pursuant to D.N.J. LBR 9013-2(a)(2)(i), responsive pleadings, if any, must be filed with the Clerk of the Bankruptcy Court, United States Bankruptcy Court, Martin Luther King, Jr. Federal Building, P.O. Box 1352, Newark, New Jersey 07101-1352, and served on Forman Holt, Proposed Attorneys for the Debtor, Attn: Michael E. Holt, 365 West Passaic Street, Suite 400, Rochelle Park, New Jersey 07662 and K&L Gates LLP, Attorneys for Joseph Supor III, Attn: David S. Catuogno, One Newark Center, 1085 Raymond Boulevard, 10th Floor, Newark, New Jersey 07102 at least seven (7) days prior to the hearing date.

PLEASE TAKE FURTHER NOTICE that unless an objection is timely filed and served, the Motion will be deemed uncontested in accordance with D.N.J. LBR 9013-3(d) and the relief sought may be granted without a hearing.

FORMAN HOLT
Proposed Attorneys for Debtor

By: *s/ Michael E. Holt*
Michael E. Holt

K&L GATES LLP
Attorneys for Joseph Supor III

Dated: January 9, 2024

By: *s/ David S. Catuogno*
David S. Catuogno